

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. William Edward Todd

Docket No. 5:09-CR-231-1BO

Petition for Action on Supervised Release

COMES NOW Maurice J. Foy, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of William Edward Todd, who, upon an earlier plea of guilty to Possession of a Firearm and Ammunition by a Convicted Felon, 18 U.S.C. § 922(g)(1), was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on January 21, 2010, to the custody of the Bureau of Prisons for a term of 110 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

William Edward Todd was released from custody on November 28, 2014, at which time the term of supervised release commenced.

On April 10, 2015, the defendant was cited with a misdemeanor criminal summons charging him with Assault With a Deadly Weapon. It was alleged that the defendant assaulted his stepfather with a brick. The probation office asked that this case be allowed to resolve itself in state court and the court concurred. This case was dismissed.

On September 16, 2016, the defendant was charged with Assault on a Female. The probation office asked that this case be allowed to resolve itself in state court and the court concurred. This case was dismissed.

On March 14, 2017, the court was notified that on February 23, 2017, the defendant tested positive for marijuana. This was his first positive drug test. The offender was verbally reprimanded and the probation office recommended that he be afforded the opportunity to participate in substance abuse treatment and the Surprise Urinalysis Program (SUP). The court concurred.

On April 26, 2017, the court was notified that on April 4, 2017, the defendant tested positive for cocaine. As a result of his first positive urinalysis, he was sent for a substance abuse assessment and treatment was not recommended. It was determined that he used due to stress and was continued in mental health treatment instead. To address his new drug positive, the defendant was verbally reprimanded and the probation office recommended that he be afforded an opportunity to participate in substance abuse treatment and that he be continued in the Surprise Urinalysis Program (SUP). The court concurred.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On May 8, 2017, the defendant provided a urine sample that returned positive for marijuana on May 14, 2017. To address this non-compliance, the probation office is recommending that the defendant continue participating in substance abuse treatment, the Surprise Urinalysis Program, and participate in the Location Monitoring Program (curfew) for a period up to 90 days. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for a period up to 90 consecutive days. The defendant is restricted to residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/Jeffrey L. Keller
Jeffrey L. Keller
Supervising U.S. Probation Officer

/s/Maurice J. Foy
Maurice J. Foy
Sr. U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: 919-861-8678
Executed On: May 23, 2017

ORDER OF THE COURT

Considered and ordered this 23 day of May, 2017, and ordered filed and
made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge